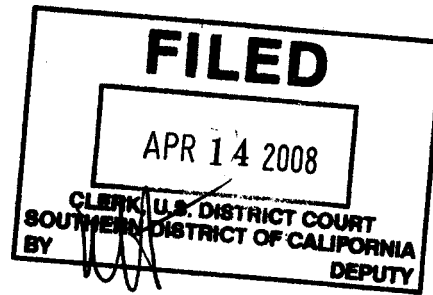


Janet Palpal-Latoc, Pro se
C/o 909 Norella Street
Chula Vista, California state [91910]
Non-domestic without US



**IN UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

JANET PALPAL-LATOC
Petitioner/Appellant

CIVIL ACTION NO.
08CV0588-LAB (CAB)

Vs.

AMERICA'S SERVICING COMPANY
Respondent/Appellee

HSBC MORTGAGE
Co-Defendant

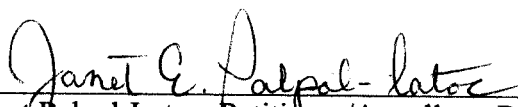
NOTICE OF APPEAL

Notice is hereby given that the Petitioner named above, being dissatisfied with the Verdict, Decisions and Judgment of the United States District Court dated April 2nd, 2008, hereby appeals to the Federal Court of Appeals from the said court.

The clerk of court will please omit nothing from the record and appeal. No transcript shall follow this appeal

The Federal Court of Appeals has jurisdiction of this matter on appeal.

This 11th day of April 2008.


Janet Palpal-Latoc, Petitioner/Appellant, Pro se

Janet Palpal-Latoc, Pro se
C/o 909 Norella Street
Chula Vista, California state [91910]
Non-domestic without US

**IN UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

CERTIFICATE OF SERVICE

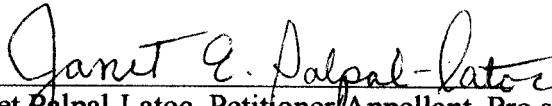
I, Janet Palpal-Latoc, certify that I have furnished a copy of this pleading via U.S. Postal Service, with sufficient postage to respondent located at the following address:

Distribution List:

**America's Servicing Company
P.O. Box 10388
Des Moines,
IA 50306-0388**

**HSBC Mortgage Services
P.O. Box 60139
City of Industry
CA 91716-0139**

**First American Loanstar Trustee Services
P.O. Box 961253
Ft. Worth, TX 76161-0253**


Janet Palpal-Latoc, Petitioner/Appellant, Pro se

United States District Court

SOUTHERN DISTRICT OF CALIFORNIA

JANET PALPAL-LATOC

v.

JUDGMENT IN A CIVIL CASE

AMERICA'S SERVICING COMPANY, HSBC

CASE NUMBER: 08CV0588-LAB (CAB)☐

Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☒

Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that the Complaint is dismissed in its entirety, without prejudice.

April 10, 2008

Date

W. Samuel Hamrick, Jr.

Clerk

s/P. Dela Cruz

(By) Deputy Clerk

ENTERED ON April 10, 2008

08CV0588-LAB (CAB)

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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
10

11 JANET PALPAL-LATOC,

12 Plaintiff,

13 vs.

14 AMERICA'S SERVICING COMPANY,
15 HSBC,

16 Defendants.
17

CASE NO. 08CV0588-LAB (CAB)

**ORDER DISMISSING
COMPLAINT**

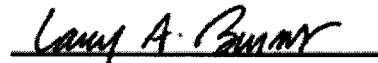
18 Federal courts are courts of limited jurisdiction. The court must verify *sua sponte* its
19 authority to decide the disputes presented in any action filed in federal court. See B.C. v.
20 Plumas Unified Sch. Dist., 192 F.3d 1260, 1264 (9th Cir.1999); see also FED. R. CIV. P.
21 12(h)(3) ("Whenever it appears by suggestion of the parties or otherwise that the court lacks
22 jurisdiction of the subject matter, the court shall dismiss the action"). The party invoking the
23 court's jurisdiction has the burden to plead and prove the facts supporting such jurisdiction.
24 McNutt v. Gen. Motors Acceptance Corp. of Indiana, 298 U.S. 178, 189 (1936).

25 The court's *sua sponte* review of plaintiff Janet Palpal Latoc's one-sentence
26 Complaint in this action (alleging a servicing company and another entity, both of unspecified
27 nature, are "attempting to wrongfully undertake foreclosure proceedings" against particular
28 real property), and her proposed "Federal Stay and Adverse Claim" document in the form

1 of a *lis pendens* prepared for the court's signature, identify no basis upon which federal
2 courts may exercise jurisdiction either over the controversy or over the named defendants.
3 Rather, it appears to this court from the face of the filings the dispute is appropriately a
4 matter for the state courts to decide. Accordingly, this action is **DISMISSED** in its entirety,
5 without prejudice.

6 **IT IS SO ORDERED.**

7 DATED: April 2, 2008

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9 **HONORABLE LARRY ALAN BURNS**
10 United States District Judge
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Notice of Appeal Notification Form

To: Clerk, U.S. Court of Appeals
From: U.S. District Court, Southern District of California
Subject: New Appeals Case Information & Docket Fee Notification

Date: 04/15/08

Case Information

Case Title: Janet Palpal Latoc v. America's Servicing Company, et al

U.S.D.C. No.: 08cv588 LAB (CAB)

U.S.D.C. Judge: Larry Alan Burns

Complaint/Indictment/Petition Filed: Complaint

Appealed Order Entered: 4/10/2008

Notice of Appeal Filed: 4/14/2008

Court Reporter: n/a

COA Status: ☐ Granted in full/part (appeal only)

☐ Denied (send clerk's file)

Docket Fee Notification

Docket Fee: ☐ Paid

☒ Not Paid

☐ No Fee Required

USA/GOVT. APPEAL: ☐ Yes

☒ No

Date F/P granted (Show Date and Attach Copy of Order): _____

Was F/P Status Revoked? ☐ Yes

☐ No

Companion Case(s): (Please list consolidated cases, if applicable) _____

Counsel Information

Appellant Counsel:

Janet Palpal Latoc

909 Norella Street
Chula Vista, CA 91910

Appellee Counsel:

N/A

Counsel Status: ☐ Retained

☐ Appointed

☒ Pro Se

Appointed by: _____

(Attach copy of order/minutes)

Defendant Information

Prisoner ID Number: n/a

Bail: _____

Custody: _____

SERVICE LIST

Counsel for Appellant(s) and Appellee(s), as listed on the previous page, have been sent copies of the following items:

x	Transmittal of U.S.C.A. (Appellant and Appellee)
x	Case Information/Docketing Fee Notification Form. (Appellant Only)
x	Notice of Appeal. (Appellant, Appellee, U.S. District Judge, USPO, and Court Reporter)
x	Docket Entries (Appellant and Appellee)
x	Designation of Reporter's Transcript and Ordering Form. (Appellant Only, mailed separately)
	Order for Time Schedule. (Criminal Only) (Appellant, Appellee, and Court Reporter)
	Magistrate Judge's Report and Recommendation
	COA Order
	F/P Order
	Minute Order
x	Other: Clerk's Judgment entered 4/10/2008, Order Dismissing Complaint entered 4/3/2008

Form Completed And Documents Served By U.S. District Court Deputy Clerk:

Lauren Hammer

Deputy's Name

L. Hammer

Deputy's Signature

UNITED STATES DISTRICT COURT

Southern District Of California
Office Of The Clerk
880 Front Street, Room 4290
San Diego, California 92101-8900
Phone: (619) 557-5600
Fax: (619) 702-9900

W. Samuel Hamrick, Jr.
Clerk of Court

To: Clerk, U.S. Court of Appeals
P.O. Box 193939
San Francisco, CA 94119-3939

Re: **USCA No:**
USDC No: 08cv588 LAB (CAB)
Latoc v. America's Servicing Company, et al
Clerk, U.S. Court of Appeals, enclosed herewith you will please find:

x	Copy of the Notice of Appeal	x	Docket Entries
x	Case Information/Docket Fee Payment Notification Form		
	Order for Time Schedule (Criminal)		
	Original Clerk's Record in	set(s) of	volume(s).
	Reporter's transcript's transcripts in	set(s) of	volume(s).
	Exhibits in	envelope(s)	box(es) folders(s)
x	Judgement Order		F/P Order
	CJA Form 20		Minute Order
	Certificate of Record		Mandate Return
	Magistrate Judge's Report and Recommendation		
	COA Order		
	Amended docket fee notification form		
	Order Appointing Counsel for Appeal		
x	Order Dismissing Complaint entered 4/3/2008		
x	Please acknowledge on the enclosed copy of this transmittal		

Sincerely yours,

W. Samuel Hamrick, Jr.
Clerk of Court

By: **L. Hammer**
Lauren Hammer, Deputy

Date: 04/15/08